

REMARKS/ARGUMENTS

Amendments to the Specification

Paragraph [0001] of the specification has been amended to refer to the status of the parent application. Paragraphs [0005] and [0047] have been amended to refer to the sole striking surface shown in the drawings as the "sole" striking surface. Paragraph [0051] has been amended to conform it to the drawings. Dimension D of the drawings had been erroneously described as Dimension L in paragraph [0051] as filed.

Rejection Under 35 USC 103(a) Over Freestone et al in View of Langager

Claims 1-4, 8-10, 12-13 and 16-17 stand rejected under 35 USC 103(a) as unpatentable over U.S. Patent 5,058,257 to Freestone et al ("Freestone '257") in view of U.S. Patent 1,120,947 to Langager ("Langager '947").

This ground of rejection is respectfully traversed in view of the amendment to the rejected claims.

Claims 1 and 8, and therefore the claims dependent thereon, have been amended to define the striking surface on the body member as the sole striking surface of the tool. This amendment, and the corresponding amendments made to the specification in paragraphs [0005] and [0047] find support in the application as filed, in the drawings, for example, in Figures 4, 4A and 4D. The feature that the striking surface is the sole striking surface clearly patentably distinguishes over Freestone '257, which discloses a tool having a pair of impact surfaces (striking surfaces). For example, see column 2, line 27-28, and column 4, line 42-44, wherein a pair of impact faces, a front impact face 108 and a rear impact face 110 are described. As described starting at column 4, line 65, when setting a pin, the hammer blows are struck against the rear striking face 110 (see column 5, line 7 *et seq*). For extracting a pin, as described starting at column 5, line 24, the hammer blows are directed against the face 108.

The tool defined in claims 1-15, as amended herein, has a single or sole striking face as shown by the drawings, especially Figures 4, 4A and 4D, and the corresponding description thereof in the specification. Only the sole striking surface, e.g., surface 54a, best seen in Figures 4A and 4D, satisfies the claim requirements that the striking surface have a striking axis perpendicular thereto that intersects the longitudinal axis of the drive shaft at an acute angle θ , the striking surface facing away from the tip of the drive shaft whereby a blow struck against

the sole striking surface will advance the drive shaft in the direction the tip is facing. With this amendment to the claims, it is believed that the rejection under 35 USC 103(a) over the combination of Freestone '257 and Langager '947 is overcome.

The rejected dependent claims, now being dependent upon claims which are believed to be allowable, are therefore also allowable.

Rejection of Method Claim 16

Method claim 16 has been rejected based on Freestone '257, the Examiner stating that the steps of gripping the handle, aligning the tip of the drive shaft with the retaining pin, and striking the surface with a hammer are inherently required to use the tool of Freestone '257 as modified by Langager '947.

This ground of rejection is believed to be overcome by the amendment made herein to claim 16, which includes positioning a shim plate between the contact surface and the drive shaft to adjust the offset distance between the contact surface and the drive shaft. This feature is not shown or suggested in the art of record.

The Rejection Under 35 USC 103(a) Over Freestone et al in View of Langager and Derbyshire

Claim 18 has been rejected under Freestone '257 and Langager '947 as applied above, and further in view of U.S. Patent 4,240,771 to Derbyshire ("Derbyshire '771").

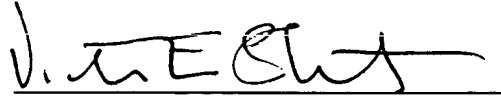
This ground of rejection is believed to be overcome by the amendment made to claim 18 to include therein the definitions of claim 19, which has been canceled. Claim 18 thus comprises allowable claim 19 rewritten in independent form and, as indicated by the Examiner, appears to be in condition for allowance.

Claims 11 and 14 were deemed allowable but objected to as being dependent upon rejected base claims. Claim 11 has been rewritten in independent form and new claim 21 comprises claim 14 in independent form as dependent from claim 3. New claim 22 is dependent upon claim 21 and provides coverage corresponding to that of original claim 15/14/3, which had been indicated by the Examiner to be allowable.

New claims 20-22 are presented to define (claim 20) a tool having an adaptor sleeve to be slidably mounted on the drive shaft and (claim 21) a tool having a shoe mounted on the tool, which shoe (claim 22) is removable.

In view of the foregoing, reconsideration and withdrawal of the rejection and allowance of the claims is respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "V. E. Libert", written over a horizontal line.

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